



STATEWIDE GRIEVANCE COMMITTEE

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Second Floor – Suite Two
287 Main Street, East Hartford, Connecticut 06118-1885

Attorney Frank Blando
Assistant Disciplinary Counsel
Office of the Chief Disciplinary Counsel
80 Washington Street
Hartford, CT 06106

Attorney Stephen C. Gallagher
57 North Street, Suite 114
Danbury, CT 06810

RE: Grievance Complaint #04-0543, Harris v. Gallagher

Dear Assistant Disciplinary Counsel and Respondent:

Pursuant to Practice Book §2-82(b), the undersigned, duly-appointed reviewing committee of the Statewide Grievance Committee, has reviewed the *Revised Conditional Admission and Agreement as to Discipline* (hereinafter “*Conditional Admission*”) filed November 18, 2004 and submitted for approval in the above referenced matter. After careful consideration of the *Conditional Admission*, the *Revised Affidavit* of the Respondent submitted pursuant to Practice Book §2-82(c) and the entire record of the complaint, and after conducting a hearing pursuant to Practice Book §2-82(b) on November 3, 2004, the undersigned hereby APPROVE the *Conditional Admission*, a copy of which is attached hereto together with the *Revised Affidavit* of the Respondent. Accordingly, the disposition agreed to by the Chief Disciplinary Counsel and the Respondent in the above referenced matter and set forth in the *Conditional Admission* is hereby made an order of this reviewing committee. The Respondent is reprimanded.

So ordered.

cc: Janice P. Harris
Attorney Gail S. Kotowski

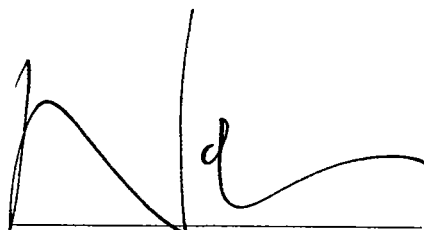
DECISION DATE: 12/10/04

(9)
asc

Grievance Complaint #04-0543

Decision

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A handwritten signature in black ink, appearing to read 'Noble F. Allen', written over a horizontal line.

Attorney Noble F. Allen

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Jorene M. Couture
Attorney Jorene M. Couture

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Professor Paul Hawkshaw

STATEWIDE GRIEVANCE COMMITTEE

NO. 04-0543

JANICE P. HARRIS

Complainant

Vs.

STEPHEN C. GALLAGHER

Respondent

NOV 18 2004

REVISED **CONDITIONAL ADMISSION AND AGREEMENT AS TO DISCIPLINE**

Pursuant to Practice Book § 2-82, the undersigned Respondent and Disciplinary Counsel stipulate and agree as follows:

1. This matter was instituted by grievance complaint filed by the Complainant on June 8, 2004.
2. On September 8, 2004, the Judicial District of Danbury Grievance Panel found Probable Cause the Respondent violated Rules 1.3 and 1.4(a).
3. The Respondent has tendered a conditional admission of fact in accordance with his affidavit attached hereto, admitting the facts of the complaint.
4. It appears that the dispute between the Complainant and Respondent arose out of Respondent's delay in prosecuting and completing the probating of Complainant's deceased aunt's estate.
5. Respondent has been admitted to practice in Connecticut since August 8, 1967 and his history of grievance complaints include only one (1) other complaint in which he received a reprimand in 1997, and he assures Disciplinary Counsel that this is an unusual and isolated matter.
6. Disciplinary Counsel has agreed to recommend to the Statewide Grievance Committee that a **REPRIMAND** be issued in this matter, and Respondent stipulates and agrees to said discipline.

7. Respondent stipulates and acknowledges that he failed to keep the Complainant reasonably informed about the status of the Estate of Emilia Baptista and failed to comply with Complainant's reasonable requests for information in regard to said status.
8. Respondent stipulates and acknowledges that in representing the Complainant he failed to probate the Estate of Emilia Baptista with reasonable diligence.
9. Respondent admits that the allegations as contained in above entitled grievance complaint are true.
10. Respondent stipulates and acknowledges that the aforementioned failures violate Rules 1.3 and 1.4(a) of the Rules of Professional Conduct.
11. Complainant has been consulted as to the proposed resolution of this matter and consents thereto.

WHEREFORE, this matter is submitted to the Statewide Grievance Committee for its approval in accordance with Practice Book § 2-82 (b).

Office of Disciplinary Counsel

11/16/04
Date

Frank P. Blando
BY: Frank P. Blando
Assistant Disciplinary Counsel

Respondent

11/15/04
Date

Stephen C. Gallagher
Stephen C. Gallagher

REVISED AFFIDAVIT

STATE OF CONNECTICUT)

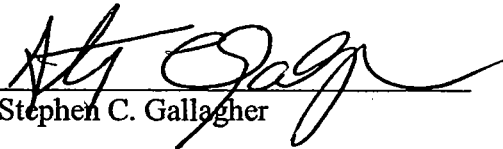
) ss. Danbury

COUNTY OF FAIRFIELD)

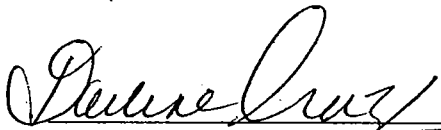
I am over the age of 18 and believe in the obligation of an oath. Pursuant to Practice Book § 2-82, I make the following affidavit:

1. The Conditional Admission attached hereto and made a part hereof is voluntarily submitted.
2. I herein consent to the form of discipline set forth in the attached Conditional Admission and Agreement as to Discipline.
3. I am aware that I have a right to a full evidentiary hearing on this matter and I waive that right by entering into this agreement.
4. I have been neither subject to coercion nor duress, and I am fully aware of the implications of this Affidavit and my conditional admission.
5. I am fully aware of the current proceeding regarding my violation of Rules 1.3 and 1.4(a) as it specifically relates to my failure to prosecute the Estate of Emilia Baptista in a timely and diligent manner and my failure to communicate with Janice P. Harris, the estate's Executrix, in that I failed to keep her reasonably informed of the status of the probate process and I failed to promptly comply with her reasonable requests for information regarding the estate's progress.

6. I admit and stipulate that I failed to keep the Complainant reasonably informed of the status of the probate process, that I failed to promptly comply with her reasonable requests for information regarding the estate's progress, and that I failed to prosecute the Estate of Emilia Baptista in a timely and diligent manner.
7. I admit and stipulate that by doing so, I violated Rules 1.3 and 1.4(a) of the Rules of Professional Conduct.


Stephen C. Gallagher

Subscribed and sworn to before me this 15 day of November, 2004.


Commissioner of the Superior Court
Notary Public
My Commission Expires _____

DARLENE CRUZ
NOTARY PUBLIC
MY COMM. EXPIRES SEP.30, 2008